

## CLASSIFICATION OFFICE DECISION

**Title of publication:** 000080\_Carved

**Other known title(s):** Not stated

**OFLC ref:** 2000330.002

**Medium:** Image File

**Maker:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

<b>Classification:</b>	Unrestricted.
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 25 November 2020

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 25 November 2020

### Summary of reasons for decision:

This is a poor quality image of a female wearing only stockings, seated some distance from the camera and involved in some activity. While the subject is youthful in appearance she does not unequivocally present as a young person - she could equally be considered to be a petite young adult. While the image depicts her nudity, it is not highly sexualised, nor is the image contrived to draw attention to her sexual parts. The image's mildly provocative tone derives solely from the fact she is wearing stockings. The image is not overtly sexual enough to be considered a matter of sex and therefore the image does not get through the s3(1) "subject matter gateway" of the Films, Videos, and Publications Classification Act 1993, nor does it deal with ss3A or 3B of that Act. The publication must therefore be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.